



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth T. Heruth; Confirmation No. 8232
Keith A. Miesel

Serial No.: 10/825,964

Filed: April 15, 2004 Customer No.: 28863

Examiner: Unknown

Group Art Unit: 3736

Docket No.: 1023-360US01

Title: DETECTING SLEEP

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Post Service, as First Class Mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on September 21, 2005.

By: Shirley A. Beilach
Name: Shirley A. Beilach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendments
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. This statement is being filed, to the best of Applicant's knowledge, before the receipt of a first Office Action on the merits.

Applicant has enclosed a copy of each foreign document cited. Copies of the U.S. patents are not enclosed as this requirement has been waived by the U.S. Patent Office.

Respectfully submitted,

Date: 21 SEPTEMBER 2005

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Form 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>		Docket Number: 1023-360US01	Application Number: 10/825,964		
		Applicant: Kenneth T. Heruth; Keith A. Miesel			
		Filing Date: April 15, 2004	Group Art Unit: 3736		
		Examiner Name: Unknown			
U.S. PATENT DOCUMENTS					
Examiner Initial	Document Number	Issue/Document Publication Date	Name		
	5,335,657	08/09/1994	Terry, Jr. et al.		
	6,539,249 B1	03/25/2003	Kadhiresan et al.		
	6,574,507 B1	06/03/2003	Bonnet		
	2004/0002742	01/01/2004	Florio		
FOREIGN PATENT DOCUMENTS					
Examiner Initial	Document Number	Publication Date	Country	Translation	
				Yes	No
	0 564 803 A1	10/13/1993	EPO		
	DE 100 24 103	11/29/2001	Germany		
	WO 2001/037930	05/31/2001	PCT		
	WO 2002/087433	11/07/2002	PCT		
	WO 2005/035050	04/21/2005	PCT		
OTHER DOCUMENTS (Including Authors, Title of Item, Page(s), Vol/Issue No., Publisher, Place of Publication)					
EXAMINER	Date Considered				

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.